

EXHIBIT A

CIRCUIT COURT OF
ETOWAH COUNTY, ALABAMA
CASSANDRA JOHNSON, CLERK

Date of Filing: 05/23/2022 Judge Code:



IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL

VS

CV-2022

DOLLAR TREE STORES, INC

FICTITIOUS DEFENDANTS 1 through 5, plaintiff's hereby intending to name any persons, firms, companies and / or legal entities that is / was responsible for placing and / or causing and / or allowing and or neglecting a dangerous condition to exist or remain on the premises of the plaintiff made the basis of this lawsuit, whose true and correct names, when ascertained will be added by amendment.

COMPLAINT

COUNT 1
NEGLIGENCE

1. On or about June 21, 2020, the Plaintiff, PAMELIA MCDANIEL, while an invitee on the premises of the Defendant(s), at 3225 Rainbow Drive, Rainbow City, AL, was caused to be injured as a result of the Defendant's negligent maintenance or care of the Defendant's premises.
2. As a result of the Defendant's negligence, PAMELIA MCDANIEL suffered serious injury.
3. The Plaintiff, PAMELIA MCDANIEL, is a resident of Etowah County, Alabama.
4. The Defendant, DOLLAR TREE STORES, INC, is a corporation doing business in Etowah County, Alabama.
5. Plaintiff alleges the Court has jurisdiction over all of the parties in this matter.
6. Plaintiff alleges the defendant, DOLLAR TREE STORES, INC, is an owner or the entity in care, custody and control of the property located at 3225 Rainbow Drive, Rainbow City, AL, and was responsible for the operation, maintenance and care of the premises of aforementioned property on the date PAMELIA MCDANIEL was injured.
7. Plaintiff alleges that on June 21, 2020, she was an invited customer to the Dollar Tree Store located at 3225 Rainbow Drive, Rainbow City, AL. She was shopping and she was looking at the items on the shelves and had placed an item back on the shelf and she stepped back and tripped over boxes that were in the floor. She fell and hurt her right knee and both shoulders.
8. Plaintiff claims punitive damages of the Defendant(s) because of the Defendant's wanton and / or gross negligence that resulted in the injury to PAMELIA MCDANIEL.

WHEREFORE, Plaintiff's demands judgment against all Defendants listed and fictitious, jointly and severally, in the amount that a jury would deem reasonable under the circumstances, including compensatory and punitive damages, if applicable under Alabama law plus interest and cost of court.

COUNT II
WANTONNESS

The Plaintiff adopts and realleges the General Averments and Count One portions of this Complaint as if fully and completely set out herein.

9. The Defendant(s) and or its employees were aware of and on notice of the dangerous condition that existed at the premises of 3225 Rainbow Drive, Rainbow City, AL 466 Montclair Drive, Gadsden, AL. No one associated with the operation of the Defendant's business took necessary steps to correct any of the dangerous conditions at said premises and did not provide the adequate notice to PAMELIA MCDANIEL. The Defendant(s) should have known of the likelihood of said injury and / or likelihood of the Plaintiff falling at said property; yet the Defendant(s) failed to take adequate measures to protect the health, safety and welfare of PAMELIA MCDANIEL.

10. Said conduct was wanton in nature as defined by Alabama law.

Wherefore, the premises considered, the Plaintiff demands punitive damages against the Defendant(s) in an amount to sufficiently punish their wanton conduct, plus costs.

COUNT III
NEGLIGENCE AND WANTONNESS AGAINST FICTITIOUS PARTIES

The Plaintiff adopts and realleges the General Averments and Count One and Count Two portions of this Complaint as if fully and completely set out herein.

11. Fictitious Defendant's 1 through 10 are those persons, firms, companies or other legal entities that are responsible for placing and / or causing and / or allowing and or neglecting a dangerous condition to exist or remain on the premises of 3225 Rainbow Drive, Rainbow City, AL that caused or contributed to the injuries PAMELIA MCDANIEL suffered made the basis of this lawsuit. Said fictitious defendants owed the PAMELIA MCDANIEL a duty for her safety, health and welfare, but breached that duty, which resulted in damages proximately flowing to PAMELIA MCDANIEL as previously defined herein. Said acts or omissions constituted negligence and/or wantonness for which they are liable under Alabama law.

Wherefore, the premises considered, the Plaintiff demands judgment grounded upon negligence and/or wantonness against the Defendants, fictitious parties, in an amount to adequately compensate him for his injuries and damages allowed by Alabama law, plus costs.

Dated: May 22, 2022

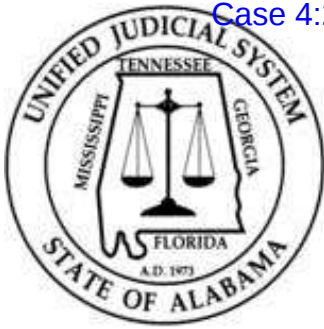
/s/ CLARK HALL
Clark Hall (HALo59)
750 Forrest Avenue
Gadsden AL 35901
Phone: (256) 549-4357
Fax: (256) 547-4881
clarkhall@clarkhalllaw.com

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been served all parties in accordance with Rule 5 via AlaCourt on this date.

Dated: May 22, 2022

/s/ CLARK HALL
Clark Hall (HALo59)



AlaFile E-Notice

31-CV-2022-900196.00

To: ANTHONY CLARK HALL
clarkhall@clarkhalllaw.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL V. DOLLAR TREE STORES, INC.
31-CV-2022-900196.00

The following complaint was FILED on 5/23/2022 9:34:50 AM

Notice Date: 5/23/2022 9:34:50 AM

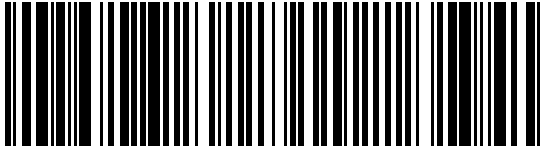
CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

USPS CERTIFIED MAIL



9214 8901 7301 4131 2200 0167 60

31-CV-2022-900196.00

To: DOLLAR TREE STORES, INC.
CORPORATION SERVICE CO.
641 SOUTH LAWRENCE STREET
MONTGOMERY, AL 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL V. DOLLAR TREE STORES, INC.
31-CV-2022-900196.00

The following complaint was FILED on 5/23/2022 9:34:50 AM

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CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL 35901
256-549-2150

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL

VS

CV-2022

DOLLAR TREE STORES, INC

FICTITIOUS DEFENDANTS 1 through 5, plaintiff's hereby intending to name any persons, firms, companies and / or legal entities that is / was responsible for placing and / or causing and / or allowing and or neglecting a dangerous condition to exist or remain on the premises of the plaintiff made the basis of this lawsuit, whose true and correct names, when ascertained will be added by amendment.

**FIRST SET OF INTERROGATORIES PROPOUNDED BY PLAINTIFF TO
DEFENDANT, DOLLAR TREE STORES, INC, AND REQUEST FOR PRODUCTION
OF DOCUMENTS**

COMES NOW the Plaintiff and propounds the following written interrogatories and request for production of documents to Defendant to be answered in writing under oath within 45 days from the date of service in accordance with Alabama Rules of Civil Procedures. These interrogatories shall be deemed continuing so as to required supplemental answers if respondent obtains further information receiving any of them between the time the answers are served and the time of trial.

INSTRUCTIONS

- a. Whenever an interrogatory may be answered by referring to a writing, the writing may be attached as an exhibit to the exhibit to the response and referred to in the response. If the writing has more than one page and section where the answer to the interrogatory can be found.
- b. Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.
- c. In answering these interrogatories, you are not limited to your own personal knowledge, but you are required to furnish all information available to you or anyone acting on your behalf.

DEFINITIONS

Words in CAPITALS in these interrogatories are defined as follows:

- a. INCIDENT includes the circumstances and events surrounding the alleged accident, injury, or other occurrence or breach of contract giving rise to this action or proceeding.
- b. YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- c. PERSON includes a natural person, firm, association, organization, partnership, business, trust corporation, or public entity.

- d. WRITING includes the original or copy of handwriting, typewriting, printing, Photostatting, photographing, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, and symbols, or combinations of them.
- e. HEALTH CARE PROVIDER includes any PERSON referred to in Code of Civil Procedure.

NOTE: PLEASE TYPE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH QUESTION OR TYPE THE QUESTIONS AND YOUR ANSWERS SEPARATELY. IF THE SPACE IS NOT SUFFICIENT, PLEASE CONTINUE YOUR ANSWER ON A SEPARATE PAGE.

- 1. Please state whether you are correctly named in the lawsuit and if not correctly named please indicate what your correct name is so the plaintiff can make appropriate corrections.

ANSWER:

- 2. At the time of the INCIDENT, was there in effect any policy of insurance through which you were or might be insured in any manner whatsoever for the damages, claims, or actions that have arisen out of the INCIDENT? If your answer to this interrogatory is yes, then please produce copy of the insurance policy that was in effect on the date of the INCIDENT.

ANSWER:

- 3. Please state the name, address and telephone number of each individual:
 - a. Who witnessed the INCIDENT or the events occurring immediately before or after the INCIDENT;
 - b. Who heard any statements made about the INCIDENT by any individual at the scene;
 - c. Who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the INCIDENT.

ANSWER:

- 4. The name and address of any person who was hired to maintain or performed maintenance on the property owned/operated by defendant(s) at 3225 Rainbow Drive, Rainbow City, AL between June 1, 2020 AND June 21, 2020.

ANSWER:

- 5. DO YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or videotapes depicting any place, object, or individual concerning the INCIDENT of the plaintiff's injuries? If so, provide a copy of each any every item depicting the same.

ANSWER:

6. Did YOU OR ANYONE ACTING ON YOUR BEHALF cause an investigation to be conducted at any time in connection with the subject matter of this action? If so, please a copy of the result of the investigation together with any and all witness statements on same.

ANSWER:

7. Do you contend that any other person, business entity, or government entity is responsible in any way for Plaintiff's injuries? (By answering in the affirmative or negative, you are not admitting liability. The Plaintiff is only interested in hearing whether you contend that some other person or entity may be in whole or in part responsible for the Plaintiff's injuries.)

ANSWER:

8. If your answer to Interrogatory No. 7 is in the affirmative, please state the facts on which you rely in making this contention, as well as:
- a. The names, addresses, and telephone numbers of all persons who have knowledge of the facts;
 - b. Identify all writings and other tangible things that support your contention and state the name, address, and telephone numbers of the person who has each writing or thing.

ANSWER:

9. At the time of Plaintiff's injury, do you contend that any person or entity other than you and your employees and / or agents were responsible for the maintenance / construction / repair of the property including the area where PAMELIA MCDANIEL fell?

ANSWER:

10. If your answer to Interrogatory No. 9 is in the affirmative, state each and every fact on which you base your contention and identify each and every writing that supports the contention.

ANSWER:

11. Do you contend that PAMELIA MCDANIEL did not fall at the place and time alleged in the complaint?

ANSWER:

12. Have any repairs / additions been made to the area of the fall in question since the INCIDENT of JUNE 21, 2020?

ANSWER:

13. If your answer to Interrogatory No. 12 is in the affirmative, please state what repairs / additions were made and who did the work. Also, provide copies of invoices for said work that was done.

ANSWER:

14. Please give the following information in regard to the person or persons, answering these interrogatories, to-wit:

- a. Person's full name;
- b. The person's job title with the Defendant;
- c. A description of the person's duties or job descriptions with the Defendant;
- d. Please state the number of years the person has been employed with the Defendant;
- e. State all positions and the period of time for each position, said person(s) has held said position with the Defendant.

ANSWER:

/s/ CLARK HALL
Clark Hall (HAL059)
750 Forrest Avenue
Gadsden AL 35901
Phone: (256) 549-4357
Fax: (256) 547-4881
clarkhall@clarkhalllaw.com

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been served upon the Defendant with the Summons and Complaint in accordance with Rule 5.

Dated: May 22, 2022

/s/ CLARK HALL
Clark Hall (HAL059)

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL

VS

CV-2022

DOLLAR TREE STORES, INC

FICTITIOUS DEFENDANTS 1 through 5, plaintiff's hereby intending to name any persons, firms, companies and / or legal entities that is / was responsible for placing and / or causing and / or allowing and or neglecting a dangerous condition to exist or remain on the premises of the plaintiff made the basis of this lawsuit, whose true and correct names, when ascertained will be added by amendment.

NOTICE OF DISCOVERY MATERIAL

I hereby certify that a copy of the following designated material has this date been served upon counsel for all parties to this action by the United States Mail first class postage prepaid and properly addressed and / or courthouse box and / or with summons and complaint.

 X Interrogatories to defendant.

 X Request for production of documents to defendant.

Dated: May 22, 2022

/s/ CLARK HALL
Clark Hall (HAL059)
750 Forrest Avenue
Gadsden AL 35901
Phone: (256) 549-4357
Fax: (256) 547-4881
clarkhall@clarkhalllaw.com

CERTIFICATE OF SERVICE

This is to certify a copy of the foregoing has been served upon all parties hereto in accordance with Rule 5, on

Dated: May 22, 2022

/s/ CLARK HALL
Clark Hall (HAL059)
750 Forrest Avenue
Gadsden AL 35901
Phone: (256) 549-4357
Fax: (256) 547-4881
clarkhall@clarkhalllaw.com

| | | |
|---|------------------------------------|---|
| State of Alabama Unified Judicial System Form C-34 Rev. 4/2017 | SUMMONS - CIVIL - | Court Case Number 31-CV-2022-900196.00 |
|---|------------------------------------|---|

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA
PAMELIA MCDANIEL V. DOLLAR TREE STORES, INC.

NOTICE TO: DOLLAR TREE STORES, INC., CORPORATION SERVICE CO. 641 SOUTH LAWRENCE STREET, MONTGOMERY, AL 36104
(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), ANTHONY CLARK HALL
(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 750 FORREST AVENUE, GADSDEN, AL 35901
(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of PAMELIA MCDANIEL
(Name(s))
pursuant to the Alabama Rules of the Civil Procedure.

05/23/2022 *(Date)* /s/ CASSANDRA JOHNSON *(Signature of Clerk)* By: _____ *(Name)*

☒ Certified Mail is hereby requested. /s/ ANTHONY CLARK HALL
(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
in _____ County,

(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)



May 26, 2022

Dear Circuit Clerk:

UJS Information

Case Number: 31-CV-2022-900196.00
 Document Type: Complaint
 Restricted Delivery Requested: No

Intended Recipient:
 DOLLAR TREE STORES, INC. (D001)
 CORPORATION SERVICE CO.
 641 SOUTH LAWRENCE STREET
 MONTGOMERY, AL 36104

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 7301 4131 2200 0167 60.

Item Details

Status: Delivered, Left with Individual
Status Date / Time: May 26, 2022, 12:33 pm
Location: MONTGOMERY, AL 36104
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
 Return Receipt Electronic

Shipment Details

Weight: 3.0oz

Recipient Signature

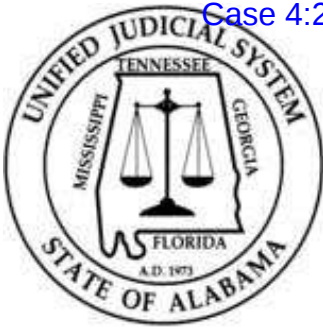
Signature of Recipient:

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004



AlaFile E-Notice

31-CV-2022-900196.00

Judge: GEORGE C. DAY, JR.

To: HALL ANTHONY CLARK
clarkhall@clarkhalllaw.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL V. DOLLAR TREE STORES, INC.
31-CV-2022-900196.00

The following matter was served on 5/26/2022

D001 DOLLAR TREE STORES, INC.

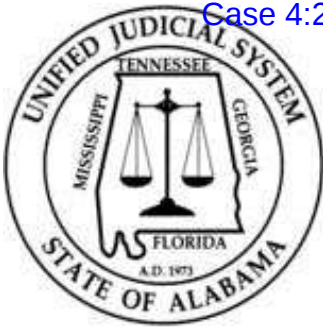
Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2022-900196.00

Judge: GEORGE C. DAY, JR.

To: DOLLAR TREE STORES, INC. (PRO SE)
CORPORATION SERVICE CO.
641 SOUTH LAWRENCE STREET
MONTGOMERY, AL, 36104-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

PAMELIA MCDANIEL V. DOLLAR TREE STORES, INC.
31-CV-2022-900196.00

The following matter was served on 5/26/2022

D001 DOLLAR TREE STORES, INC.**Corresponding To**

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

CASSANDRA JOHNSON
CIRCUIT COURT CLERK
ETOWAH COUNTY, ALABAMA
801 FORREST AVENUE
SUITE 202
GADSDEN, AL, 35901

256-549-2150